



Docket No.: 1080.1045CIPD3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Fumio NAGASHIMA

Serial No. 09/765,380

Group Art Unit: 2122

Confirmation No. 1046

Filed: January 22, 2001

Examiner: Vo, Ted T.

For: METHOD FOR STORING SOFTWARE OBJECTS FROM EXISTING SOFTWARE  
COMPONENTS (AS AMENDED)

**PETITION TO ACCEPT DELAYED CLAIM FOR PRIORITY**

**UNDER 35 U.S.C. § 119 AND 37 CFR. § 1.55(C)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant's provisionally petition the Commissioner to accept a late claim of priority to Japanese Patent Application No. 9-171782 filed in Japan on 27 June 1997. The parent application, U.S. Serial No. 08/919,254 was filed in the United States on August 28, 1997. On that date, there was no requirement that a claim for foreign priority be timely made. The rules of 37 C.F.R. § 1.55(c) came into effect on November 29, 2000 over three years after the parent application was filed.

MPEP Section 201.14 addresses the effective date of the timeliness requirement for filing a claim for priority. Section 201.14 is excerpted below:

83/89/2686 JADD01 00000010 193935 09765380

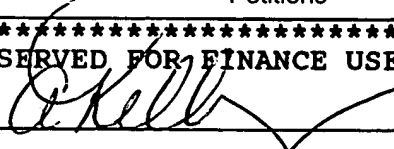
**201.14 Right of Priority, Formal Requirements [R-2] 03 FC:1454 1378.00 DA**

For nonprovisional applications filed prior to November 29, 2000, the requirements of the statute are (a) that the applicant must file a claim for the right and (b) he or she must also file a certified copy of the original foreign application. . . . Where a claim for priority under 35 U.S.C. 119(b) has not been made in the parent application, the claim for priority may be made in a continued prosecution application (CPA) filed under 37 CFR 1.53(d)

\* \* \*

Adjustment date: 08/31/2006 AKELLEY  
04 09/05/06 JADD01 00000010 193935 09765380  
1378.00 CR

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND   |                                   |                              |   |             |
|---|-----------------------------------|------------------------------|---|-------------|
| 1 Date of Request: 08/03/06   |                                   | 2 Serial/Patent # 09/765,380 |   |             |
| 3 Please refund the following fee(s):   |                                   | 4 PAPER NUMBER               | 5 DATE FILED  | 6 AMOUNT    |
|   | Filing                            |                              |   | \$          |
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| X   | No Fee Due (Explanation):         |                              |   |             |
| Office picked-up priority claim (no petition necessary).                                      |                                   |                              |   |             |
|   |                                   |                              |   |             |
| 11 REFUND REQUESTED BY:   |                                   |                              |   |             |
| TYPED/PRINTED NAME: Derek L. Woods  |                                   | TITLE: Attorney              |   |             |
| SIGNATURE: _____  |                                   | PHONE: 2-3232                |   |             |
| OFFICE: Petitions   |                                   |                              |   |             |
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| APPROVED:  |                                   | DATE: 8/31/06                |   |             |

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